

## 9.7 VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION

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**File No:** CL/04/004

**Attachments:** Nil

### SUMMARY

The following is a summary of planning activity before the Victorian Civil and Administrative Tribunal (VCAT) as well as a list of decisions on planning permit applications dealt with under delegated powers for the period detailed.

### RECOMMENDATION

**THAT** Council receive and note the report on the Victorian Civil and Administrative Tribunal Hearings and Activities carried out under delegation.

### Victorian Civil and Administrative Tribunal (VCAT) activity update.

#### Upcoming appeals

The following is an update of the upcoming VCAT appeals.

APPEAL DATE	REFERENCE NOS.	ADDRESS	PROPOSAL	APPEAL AGAINST
27 July 2020	VCAT – P125/2019 Council – PLP206/18	8 Eden Place, Wallan	Development of the land for multiple dwellings	Appeal against Council's refusal to grant a planning permit
Compulsory Conference – 13 May 2020, Hearing – 22 July 2020	VCAT – P1542/2019 Council – TP93/100	Hillview Drive, Broadford	Subdivision of the land into 25 lots and the removal of native vegetation	Appeal against Council's refusal to extend the completion date of the permit
7 July 2020	VCAT – P2492/2019 Council – PLP012/19	Hogan's Hotel, 88-94 High Street, Wallan	Construction of an extension, reduction in car parking, increase in licensed area and patron numbers	Conditions Appeal by applicant
10 July 2020	VCAT – P9/2020 Council – PLP205/19	8 C Emily Street, Seymour	Major Promotion Sign	Appeal against Council's refusal to grant a planning permit
3 August 2020	VCAT – P93/2020 Council – P307127/12	160 Scotts Road, Tallarook	Use of the land for camping and use of existing buildings for a host farm and function centre	Appeal against Council's refusal to approve an amendment to a planning permit

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION (CONT.)

Compulsory Conference – 15 June, Hearing – 17 August 2020 (5 days)	VCAT – P49/2020 Council – P307044/12	210 Tallarook Pyalong Road, Tallarook	Place of Assembly (music Festival) and a reduction of car parking requirements	Appeal against Council's approval of an amendment to a planning permit
9 July 2020	VCAT – P417/2020 Council – PLP268/19	175 Northern Highway, Wallan	Use and development of the land for stone extraction and creation of access to a Road Zone Category 1	Appeal against extent of advertising proposed

### VCAT decisions since last report

#### **210 Tallarook Pyalong Road, Tallarook (VCAT Ref. P264/2020)**

Two appeals were received related to a decision to amend planning permit P307044/12, one by objectors to the decision, and one by the applicant in regard to the conditions included in the Notice of Decision. The applicant has decided not to proceed with their appeal. An order was received from VCAT on 27 March 2020 confirming the withdrawal.

### Activities Carried out Under Delegation

A list of planning permit applications dealt with under delegated powers for the month of April 2020 is included below.

Permit No.	Address	Description of Permit	Decision	Date Approved
<b>South Ward</b>				
PLP314/19	18 Lookout Rise WALLAN	Development of the land for a dwelling	Planning Permit	9/04/2020
PLP017/20	38 Wandong Avenue WANDONG	Buildings and works for an extension to existing garage.	Planning Permit	9/04/2020
PLP028/19	17 Whiteside Street BEVERIDGE	Staged multi-lot subdivision and creation of restrictions (52 lots)	Planning Permit (Delegate Committee)	14/04/2020
PLP024/20	47 Ram Circuit WALLAN	Buildings and works for a single dwelling	Planning Permit	14/04/2020
PLP300/19	1370 Wallan Whittlesea Road UPPER PLENTY	Development of the land for a replacement dwelling and removal of native vegetation	Notice of Decision	17/04/2020
PLP245/19	153 Raglan Street WALLAN	Development of the land for eight (8) dwellings and reduction of visitor car space	Planning Permit	17/04/2020
PLP148/19	5 Commercial Drive WALLAN	Use and development of the land for a restricted retail	Planning Permit	22/04/2020

## VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION (CONT.)

		premises, access to a Road Zone Category 1, display of signage, reduction in car parking requirements and reduction in requirements for bicycle facilities		
PLP114/18.01	100-102 High Street WALLAN	Use and development of the land for warehouses, buildings and works for a restricted retail premises, reduction in car parking requirements, display of signage and alteration to a road in a road zone category 1	Amended Planning Permit	30/04/2020
<b>Central Ward</b>				
PLP345/19	12 Powlett Street KILMORE	Building and works to a dwelling	Planning Permit	01/04/20
PLP021/20	180 Monument Road KILMORE EAST	Extension of an existing dwelling	Planning Permit	16/04/20
PLP282/17.01	84 White Street KILMORE	Seven Lot subdivision	Amended Permit	16/04/20
PLP333/19	70 Kilmore Lancefield Road KILMORE	Buildings and works consisting of an extension to an existing Aged Care Facility and the alteration and creation of access to a road in a Road Zone Category 1.	Planning Permit	20/04/2020
PLP254/19	905 Dry Creek Road BROADFORD	Use and development of the land for service industry and a reduction in the car parking requirement	Planning Permit	21/04/2020
PLP170/19	21 Tootle Street KILMORE	Two (2) lot subdivision	Planning Permit	29/04/2020
PLP259/19	39 Sutherland Street KILMORE	Buildings and works for an indoor recreation facility and native vegetation removal	Planning Permit	29/04/2020
<b>North Ward</b>				
PLP300/15.01	144 Tarcombe Road SEYMOUR	Staged residential subdivision and removal of native vegetation (minor change to reorientation	Amended Permit	14/04/20

## VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION (CONT.)

		already approved small number of lots)		
PLP165/19	25 Bluetop Road WHITEHEADS CREEK	Three (3) lot re-subdivision	Planning Permit	16/04/20
PLP306/19	5 Red Box Court SEYMOUR	Use and development of the land for a store, outbuilding and carport	Planning Permit	09/04/20
PLP296/19	20 Bush Pea Drive SEYMOUR	Use and Development for a dwelling and shed.	Planning Permit	21/04/20
PLP011/20	120 Hardings Road NULLA VALE	Use and development of the land for a replacement dwelling.	Planning Permit	21/04/20
PLP349/19	28 Priestley Crescent SEYMOUR	Development of the land for a dwelling and outbuilding	Planning Permit	21/04/20
PLP054/20	15 Breens Road TALLAROOK	Development of the land for an agricultural shed	Planning Permit (VicSmart)	22/04/20
PLP008/20	West Road PYALONG	Development of the land for a dwelling and agricultural shed	Planning Permit	29/04/20
PLP340/19	18 Bush Pea Drive Seymour	Development of the land for a dwelling and outbuilding	Planning Permit	29/04/20

**CHARTER OF HUMAN RIGHTS IMPLICATIONS**

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report. Failure to comply with the Child Safe Standards and associated legal responsibilities would be a breach of human rights.

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any direct or indirect interest in this matter.